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**BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

BRADLEY ALFRED MANNING, PH.D.

Respondent.

Case No. W208

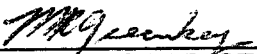
OAH No. L-2001030679

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Psychology of the Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on March 29, 2002.

It is so ORDERED February 27, 2002.



FOR THE BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
MARTIN R. GREENBERG, PHD, PRESIDENT

[REDACTED]

1 BILL LOCKYER, Attorney General
of the State of California
2 RAJPAL S. DHILLON, State Bar No. 190583
Deputy Attorney General
3 California Department of Justice
300 South Spring Street, Suite 1702
4 Los Angeles, California 90013
Telephone: (213) 897-7485
5 Facsimile: (213) 897-1071

6 Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PSYCHOLOGY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 BRADLEY ALFRED MANNING, PH.D.

13 Respondent.

Case No. W208

OAH No. L-2001030679

14 **STIPULATED SETTLEMENT AND**
15 **DISCIPLINARY ORDER**

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
18 above-entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Thomas S. O'Connor ("Complainant") is the Executive Officer of the
21 Board of Psychology. He brought this action solely in his official capacity and is represented in
22 this matter by Bill Lockyer, Attorney General of the State of California, by Rajpal S. Dhillon,
23 Deputy Attorney General.

24 2. Bradley Alfred Manning, Ph.D. ("Respondent") is represented in this
25 proceeding by attorney Christopher J. Zopatti, whose address is Callahan, McCune & Willis
26 LLP, 111 Fashion Lane, Tustin, CA 92780.

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1 reader of his opinion that they were limited because they were based on information from a
2 source that may be biased or may not be accurate.

3 9. Respondent agrees that his Psychologist's License No. PSY7354 is subject
4 to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the
5 Disciplinary Order below.

6 CONTINGENCY

7 10. This stipulation shall be subject to approval by the Board. Respondent
8 understands and agrees that the Board's staff and counsel for Complainant may communicate
9 directly with the Board regarding this stipulation and settlement, without notice to or
10 participation by Respondent or his counsel. By signing the stipulation, Respondent understands
11 and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the
12 time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its
13 Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or
14 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,
15 and the Board shall not be disqualified from further action by having considered this matter.

16 11. The parties understand and agree that facsimile copies of this Stipulated
17 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
18 force and effect as the originals.

19 12. In consideration of the foregoing admissions and stipulations, the parties
20 agree that the Board may, without further notice or formal proceeding, issue and enter the
21 following Disciplinary Order:

22 DISCIPLINARY ORDER

23 IT IS HEREBY ORDERED that Psychologist's License No. PSY7354 issued to
24 Respondent Bradley Alfred Manning, Ph.D. is revoked. However, the revocation is stayed and
25 Respondent is placed on probation for three (3) years on the following terms and conditions.

26 1. EDUCATION REVIEW Respondent shall submit to an educational
27 review concerning the circumstances which resulted in this administrative action. The
28 educational review shall be conducted by a board-appointed expert case reviewer and/or Board

designee familiar with this case. Educational reviews are informational only and intended to benefit Respondent's practice by preventing future such complaints. Respondent shall pay all costs associated with this educational review.

2. COURSEWORK Respondent shall take and successfully complete not less than twelve (12) hours of coursework each year of probation in the following area(s): forensics, child custody, or laws and ethics. Coursework must be preapproved by the Board or its designee. All coursework shall be taken at the graduate level at an accredited educational institution or by an approved continuing education provider. Classroom attendance is specifically required; correspondence or home study coursework shall not count toward meeting this requirement. The coursework must be in addition to any continuing education courses that may be required for license renewal.

Within 90 days of the effective date of this Decision, respondent shall submit to the Board or its designee for its prior approval a plan for meeting the educational requirements. All costs of the coursework shall be paid by the respondent.

3. ETHICS COURSE Within 90 days of the effective date of this Decision, respondent shall submit to the Board or its designee for prior approval a course in laws and ethics as they relate to the practice of psychology. Said course must be successfully completed at an accredited educational institution or through a provider approved by the Board's accreditation agency for continuing education credit. Said course must be taken and completed within one year from the effective date of this Decision. The cost associated with the law and ethics course shall be paid by the respondent.

4. INVESTIGATION/ENFORCEMENT COST RECOVERY Respondent shall pay the Board its costs of investigation and enforcement in the amount of \$3,990 within the first year of probation. Respondent may pay cost recovery quarterly in four (4) equal installments. Such costs shall be payable to the Board of Psychology. Failure to pay such costs shall be considered a violation of probation.

The filing of bankruptcy by respondent shall not relieve respondent of the responsibility to repay investigation and enforcement costs.

1 5. PROBATION MONITORING COSTS Respondent shall pay the costs
2 associated with probation monitoring each and every year of probation. The costs are currently
3 set at \$96 per month, but may be adjusted on an annual basis. Such costs shall be payable to the
4 Board of Psychology at the end of each fiscal year (July 1 - June 30). Failure to pay such costs
5 shall be considered a violation of probation.

6 The filing of bankruptcy by respondent shall not relieve respondent of the
7 responsibility to repay investigation and enforcement costs.

8 6. OBEY ALL LAWS Respondent shall obey all federal, state, and local
9 laws and all regulations governing the practice of psychology in California including the ethical
10 guidelines of the American Psychological Association. A full and detailed account of any and all
11 violations of law shall be reported by the respondent to the Board or its designee in writing
12 within seventy-two (72) hours of occurrence.

13 7. QUARTERLY REPORTS Respondent shall submit quarterly
14 declarations under penalty of perjury on forms provided by the Board or its designee, stating
15 whether there has been compliance with all the conditions of probation.

16 8. PROBATION COMPLIANCE Respondent shall comply with the
17 Board's probation program and shall, upon reasonable notice, report to the assigned District
18 Office of the Medical Board of California or other designated probation monitor. Respondent
19 shall contact the assigned probation officer regarding any questions specific to the probation
20 order. Respondent shall not have any unsolicited or unapproved contact with 1) complainants
21 associated with the case; 2) Board members or members of its staff; or 3) persons serving the
22 Board as expert evaluators.

23 9. INTERVIEW WITH BOARD OR ITS DESIGNEE Respondent shall
24 appear in person for interviews with the Board or its designee upon request at various intervals
25 and with reasonable notice.

26 10. CHANGES OF EMPLOYMENT Respondent shall notify the Board in
27 writing, through the assigned probation officer, of any and all changes of employment, location,
28 and address within 30 days of such change.

1 11. TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR IN-
2 STATE NON-PRACTICE In the event respondent should leave California to reside or to
3 practice outside the State or for any reason should respondent stop practicing psychology in
4 California, respondent shall notify the Board or its designee in writing within ten days of the
5 dates of departure and return or the dates of non-practice within California. Non-practice is
6 defined as any period of time exceeding thirty days in which respondent is not engaging in any
7 activities defined in Sections 2902 and 2903 of the Business and Professions Code. Periods of
8 temporary or permanent residency or practice outside California or of non-practice within
9 California will not apply to the reduction of this probationary period., although the Board may
10 allow respondent to complete certain terms of probation that are not associated with active
11 practice.

12 12. EMPLOYMENT AND SUPERVISION OF TRAINEES Respondent
13 shall not employ or supervise or apply to employ or supervise psychological assistants, interns or
14 trainees during the course of this probation. Any such supervisory relationship in existence on
15 the effective date of this probation shall be terminated by respondent and/or the Board.

16 13. FUTURE REGISTRATION OR LICENSURE If respondent is currently
17 registered as a psychological assistant and subsequently obtains other psychological assistant
18 registrations or becomes licensed as a psychologist during the course of this probationary order,
19 respondent agrees that this Decision shall remain in full force and effect until the probationary
20 period is successfully terminated. Future registration or licensure shall not be approved,
21 however, until respondent is currently in compliance with all of the terms and conditions of
22 probation.

23 14. VIOLATION OF PROBATION If respondent violates probation in any
24 respect, the Board may, after giving respondent notice and the opportunity to be heard, revoke
25 probation and carry out the disciplinary order that was stayed. If an Accusation or Petition to
26 Revoke Probation is filed against respondent during probation, the Board shall have continuing
27 jurisdiction until the matter is final, and the period of probation shall be extended until the matter
28 is final. No Petition for Modification or Termination of Probation shall be considered while

(4)

1 there is an Accusation or Petition to Revoke Probation pending against respondent.

2 15. COMPLETION OF PROBATION Upon successful completion of
3 probation, respondent's license shall be fully restored.

4
5 ACCEPTANCE


6 I have carefully read the above Stipulated Settlement and Disciplinary Order and
7 have fully discussed it with my attorney, Christopher J. Zopatti. I understand the stipulation and
8 the effect it will have on my Psychologist's License. I enter into this Stipulated Settlement and
9 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
10 Decision and Order of the Board of Psychology.

11 DATED: 11-15-01

12
13 
14 BRADLEY ALFRED MANNING, Ph.D.
15 Respondent

16 I have read and fully discussed with Respondent Bradley Alfred Manning, Ph.D.
17 the terms and conditions and other matters contained in the above Stipulated Settlement and
18 Disciplinary Order. I approve of its form and content.

19 DATED: 11-15-01

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21 
22 CHRISTOPHER J. ZOPATTI
23 Attorney for Respondent

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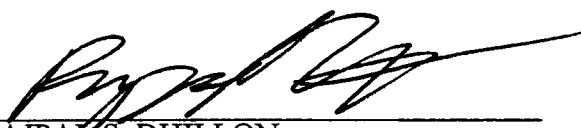
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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Psychology of the Department of Consumer Affairs.

DATED: 11/26/01.

BILL LOCKYER, Attorney General
of the State of California



RAJPAL S. DHILLON
Deputy Attorney General

Attorneys for Complainant

Exhibit A

Accusation No. W208

BILL LOCKYER, Attorney General
of the State of California
RAJPAL S. DHILLON, State Bar No. 190583
Deputy Attorney General
California Department of Justice
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Telephone: (213) 897-7485
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Attorneys for Complainant

FILED
STATE OF CALIFORNIA
BOARD OF PSYCHOLOGY
SACRAMENTO Dec 19 2001
BY M. Jackson ANALYST

BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. W208

BRADLEY ALFRED MANNING, PH.D.
2321 Walgrove Avenue
Los Angeles, CA 90066

ACCUSATION

Psychologist's License No. PSY7354

Respondent.

Complainant alleges:

PARTIES

1. Thomas S. O'Connor ("Complainant") brings this Accusation solely in his official capacity as the Executive Officer of the Board of Psychology, Department of Consumer Affairs.

2. On or about January 15, 1982, the Board of Psychology issued Psychologist's License Number PSY7354 to Bradley Alfred Manning, Ph.D. ("Respondent"). The Psychologist's License was in full force and effect at all times relevant to the charges brought herein and will expire on May 31, 2001, unless renewed.

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1 8. On or about November 19, 1998, respondent was retained by L.R.¹ to
2 write a letter to the Los Angeles County Department of Children and Family Services
3 ("County"). L.R. was embroiled in a legal battle with J.S., her ex-husband, over the custody and
4 visitation rights of C.S., the 9 year old son of L.R. and J.S. At the time respondent wrote the
5 letter, J.S. had physical custody of C.S. which he had won through a contentious divorce and
6 custody battle. L.R. had lost her custody rights of C.S. since she had engaged in excessive
7 discipline and abuse of C.S.

8 9. The letter written by respondent was based on certain court documents and
9 the unverified statements of L.R. Despite the fact that the statements of L.R. were unverified,
10 and the fact that he made no attempt to contact J.S. or C.S., respondent wrote a letter to the
11 County on behalf of L.R. and her son C.S. which made certain findings and contained several
12 recommendations. Respondent stated that C.S. exhibited "systematic parental alienation." In
13 addition, he recommended that the County continue to investigate the parental "alienation
14 process" and file an amended petition if they felt it was appropriate. Furthermore, respondent
15 stated in his letter that the County should immediately make orders to address this alienation.
16 The orders that were recommended by the letter were as follows: (a) that all visitation will occur
17 absent a doctor's note, and visitations should be unmonitored; and (b) that shared custody be
18 awarded to L.R.

19 10. Respondent did not qualify his findings and recommendations to point out
20 to the reader that they were limited because they were based on information from a source who
21 was biased and may not be accurate. Nor did respondent make any attempt to corroborate his
22 facts or to obtain the full court documents.

23 Respondent violated many of the professional guidelines of his profession which are
24 memorialized in the "Ethical Principles of Psychologists and Code of Conduct" ("Code of
25 Conduct") and the "Specialty Guidelines for Forensic Psychologists" (1991) ("Guidelines").

26
27 1. To protect the privacy of the persons involved, only their initials will be used,
28 respondent knows the full names of these persons and will be provided further information if he
requests discovery.

1 Respondent was grossly negligent and his violations of the standard of care include:

- 2 a. Claiming to write the letter on behalf of L.R. and C.S. when he had
- 3 not spoken to or obtained permission to write the letter from C.S.;
- 4 b. Failing to review all the court documents concerning L.R., J.S.,
- 5 and C.S.;
- 6 c. Writing an evaluation about individuals he never met or attempted
- 7 to meet;
- 8 d. Basing an evaluation on unverified hearsay information from L.R.
- 9 and her attorney;
- 10 e. Making no attempt to corroborate information he had received
- 11 from L.R. and her attorney; and
- 12 f. Making no attempt to qualify his conclusions since they were
- 13 based on non-corroborated sources of information.

14
15 SECOND CAUSE FOR DISCIPLINE

16 (Unprofessional Conduct)


17 11. Respondent is subject to disciplinary action under Code section 2960 in
18 that he committed unprofessional conduct in his forensic evaluation and method of diagnosing
19 the relationship between L.R., J.S., and C.S. The circumstances are as follows:

20 12. The facts and allegations of paragraphs 7 through 10, inclusive, are
21 incorporated here by reference.

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1. Revoking or suspending Psychologist's License Number PSY7354, issued to Bradley Alfred Manning, Ph.D.;

3. Taking such other and further action as deemed necessary and proper.


THOMAS S. O'CONNOR
Executive Officer
Board of Psychology
Department of Consumer Affairs
State of California
Complainant

DECLARATION OF SERVICE BY CERTIFIED MAIL

In the Matter of the Accusation

Filed Against: Manning, Bradley A., Ph.D.

No: W208

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 1422 Howe Avenue, Sacramento, California 95825. I served a true copy of the attached:

DECISION AND ORDER

by mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

NAME AND ADDRESS

CERT NO.

Bradley A. Manning, Ph.D.
2321 Walgrove Avenue
Los Angeles, CA 90066

7001 2510 0001 2147 2209

Christopher J. Zopatti
Callaham, McCune & Willis LLP
111 Fashion Lane, Tustin, CA 92780

Rajpal S. Dhillon
Deputy Attorney General
300 South Spring Street, Ste. 1702
Los Angeles, CA 90013

Each said envelope was then, on February 27, 2002 sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, as certified mail, with the postage thereon fully prepaid, and return receipt requested.

Executed on February 27, 2002 at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Kathi Burns
DECLARANT